

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TOM FRANKLIN MORRIS,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-23-1042-SLP
)	
FCI EL RENO,)	
)	
Respondent.)	

ORDER

Petitioner, a federal prisoner appearing pro se, filed a Petition [Doc. No. 1] seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2241. On December 13, 2023, United States Magistrate Amanda Maxfield Green entered a Report and Recommendation (“R&R”) [Doc. No. 9] recommending the Petition be dismissed without prejudice due to Petitioner’s failure to comply with the Court’s order. Petitioner was advised that he could object to the R&R on or before January 3, 2024, and that failure to timely object could result in the waiver of his right to appellate review of the factual and legal issues raised. *Id.* at 3. To date, no objection to the R&R has been filed, nor has an extension of time in which to object been sought or granted. Upon review, the Court concurs with the analysis set forth in the R&R.

IT IS THEREFORE ORDERED that the R&R [Doc. No. 9] is ADOPTED in its entirety and the Petition [Doc. No. 1] is DISMISSED.¹ A separate Judgment of Dismissal

¹ Because Petitioner is a federal prisoner, he does not need a certificate of appealability (COA) to appeal the dismissal of his § 2241 petition. *See Eldridge v. Berkebile*, 791 F.3d

shall be entered contemporaneously with this Order.

IT IS SO ORDERED this 26th day of January, 2024.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE

1239, 1241 (10th Cir. 2015). Therefore, the Court need not consider whether to issue a COA in this case.